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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE DISTRICT OF ARIZONA

10 United States of America,
11 Plaintiff,

12 vs.

13 Jeffrey Mindock,
14 Defendant.
15

No. CR- 23-01584-PHX-SPL

MOTION TO DISMISS INDICTMENT
[Unopposed]

16
17 The United States of America, by and through its attorney undersigned, hereby
18 moves the court for an order pursuant to Fed. R. Crim. P. 48(a), dismissing the Indictment
19 in this matter (ECF # 16) without prejudice.

20 Defendant Jeffrey Mindock ("Defendant") was indicted on November 14 2023, for
21 making an interstate threatening communications to VICTIM-1 and VICTIM-2, two
22 counts, in violation of 18 U.S.C. § 875(c).

23 Defendant was arrested on November 4, 2023, made his initial appearance in federal
24 court on November 6, 2023, and has been detained in this matter since that time.

25 On February 2, 2025, the parties appeared before the Court for a status and trial
26 setting conference in this matter and a firm trial date was set to begin on August 19, 2025.

27 Prior to and since the date of the status conference, the government has been
28 conducting further investigation in this case, in part in response to certain facts and
evidence provided by defense counsel. As a result of these efforts, the government believes

1 that certain significant pieces its of evidence have been weakened or undercut, including
2 potential testimony of someone the government intended to rely upon as a necessary trial
3 witness, to the point where it believes a dismissal is now in the interests of justice.

4 As such, the United States now moves in the interests of justice to dismiss the
5 indictment without prejudice. The above-mentioned victims in this case have been
6 notified, and dismissal request discussed with them.

7 WHEREFORE, based on the foregoing, the United States seeks leave of this Court
8 under Fed. R. Crim. P. 48(a) and respectfully requests that the Indictment be dismissed
9 without prejudice and Defendant be released from federal custody. Counsel for Defendant
10 has been consulted and does not oppose this request.

11 It is not expected that excludable delay under 18 U.S.C. § 3161 will occur as a result
12 of this motion or an order based thereon.

13 Respectfully submitted this March 19, 2025.

14 TIMOTHY COURCHINE
15 United States Attorney
16 District of Arizona

17 *s/Sean Lokey*
18 SEAN K. LOKEY
19 Assistant U.S. Attorney
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CERTIFICATE OF SERVICE

I hereby certify that on March 19, 2025, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing a copy to the following CM/ECF registrant:

AFPD, Mark Rumold

s/Zufan Yegezu
U.S. Attorney's Office

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O R D E R

14 Pursuant to the Government's Motion to Dismiss Indictment and good cause
15 appearing,

16 **IT IS HEREBY ORDERED** dismissing the Indictment against Defendant Jeffrey
17 Mindock, without prejudice.

18 DATED this _____ day of March 2025.
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